



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: June 2, 2011

CBCA 2418

RED WILK CONSTRUCTION, INC.,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Jim Petersen of Manfredonia Law Offices, LLC, Cresskill, NJ, counsel for Appellant.

Russ Emery, Office of Regional Counsel, Department of Veterans Affairs, Denver, CO, counsel for Respondent.

GOODMAN, Board Judge.

ORDER

Red Wilk Construction, Inc. was awarded a contract with the Department of Veterans Affairs (VA) for design-build renovation work at the VA Medical Center in Sheridan, Wyoming. Appellant's contract was subsequently terminated for default, which led to this appeal.

The parties have filed a joint motion for dismissal stating that the VA has converted appellant's termination for default to a termination for convenience, and requesting the appeal be dismissed as moot.

In accordance with the parties' request, the appeal is **DISMISSED WITH PREJUDICE**.

ALLAN H. GOODMAN
Board Judge